



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

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| PUBLIC MEETING MINUTES: | Adult Entertainment Commission |
| MEETING DATE AND TIME: | Friday, June 15, 2012 at 2:00 p.m. |
| PLACE: | Cannon Building, 861 Silver Lake Boulevard Conference Room A, Dover, Delaware 19904 |
| MINUTES APPROVED: | July 26, 2012 |

MEMBERS PRESENT

James Nutter, Chairman
Maisha Britt, Public Member
Tiffany Trawick, Public Member
Mary Kate McLaughlin, Public Member (arrived at 2:22 p.m.)

MEMBERS ABSENT

Robb Carter, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Patricia Davis-Oliva, Deputy Attorney General
Michele Howard, Administrative Specialist II
Christine Mast, Administrative Specialist II (training)

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Nutter called the meeting to order at 2:22 p.m.

REVIEW HEARING OFFICER RECOMMENDATIONS

Complaint 16-06-11, Fantasia Restaurant and Lounge, Gold Club Restaurant, and Jeffrey Lui

Ms. Davis-Oliva reviewed the Hearing Officer Recommendations for Fantasia Restaurant and Lounge, Gold Club Restaurant, and Jeffrey Lui with the Commission members. Ms. Davis-Oliva advised the Commission that a response to the recommendations was received from the respondents' attorney, Darrel J. Baker, on June 14, 2012, and reviewed the response for the Commission members.

Ms. Davis-Oliva noted that Mr. Baker attacked the sufficiency of the evidence presented during the hearing, and advised that the State relied on the testimony of experienced police officers. Ms. Davis-Oliva asked whether the Commission found that the respondent was operating as an adult entertainment establishment based on the Hearing Officer's report. Ms. McLaughlin, Dr. Britt, and Ms. Trawick each confirmed, and agreed that no other conclusion of law could be reached.

Ms. Davis-Oliva advised that an order to Cease and Desist is the only penalty the Commission has the authority to impose. Ms. McLaughlin questioned, and Ms. Davis-Oliva confirmed, that the Cease and Desist Order would be specific to any adult entertainment activity, and would not preclude the business from operating as a non-adult entertainment establishment.

Ms. Davis-Oliva advised that the Commission does not have the authority to decide whether or not the statute is unconstitutional as presented in item 1 of Mr. Baker's response.

Ms. Trawick and Dr. Britt questioned the date of Mr. Baker's letter. Ms. Howard stated that the date of January 17, 2011 is presumably a typo, as the hearing did not occur until May 8, 2012.

Dr. Britt made a motion, seconded by Ms. Trawick, to accept the Hearing Officer's recommendations. The motion to accept carried by a majority, with Mr. Nutter recused as the contact person for the complaint.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

None

PUBLIC COMMENT

None

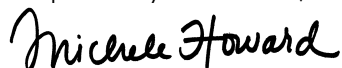
NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, July 26, 2012 at 2:00 p.m. in second-floor Conference Room A of the Cannon Building located at 861 Silver Lake Boulevard in Dover.

ADJOURNMENT

Dr. Britt made a motion, seconded by Ms. McLaughlin, to adjourn the meeting at 2:40 p.m. The motion to adjourn carried unanimously.

Respectfully submitted,



Michele Howard
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Commission members and the public in supplementing their personal notes and recall for presentations.